
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Leda Dunn Wettre
v. :
LEONARDO AYALA : Mag. No. 24-13291
: CRIMINAL COMPLAINT

I, Special Agent Nicholas Brancato, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the United States Department of the Treasury, Internal Revenue Service, Criminal Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof:

/s/ SA Nicholas Brancato
Nicholas Brancato
Internal Revenue Service
Criminal Investigation

Special Agent Nicholas Brancato attested to this Complaint by telephone pursuant to Fed. R. Crim. P. 4.1(b)(2)(A), on December 9, 2024.

HONORABLE LEDA DUNN WETTRE
UNITED STATES MAGISTRATE JUDGE

/s/ Hon. Leda Dunn Wettre
Signature of Judicial Officer

ATTACHMENT A

COUNT ONE
(Conspiracy to Launder Monetary Instruments)

From in or around June 2023 through in or around November 2023, in Union County, in the District of New Jersey, and elsewhere, the defendant,

LEONARDO AYALA,

did knowingly and intentionally conspire and agree with others to transport, transmit, transfer, and attempt to transport, transmit, and transfer, a monetary instrument or funds from a place in the United States to or through a place outside the United States and to a place in the United States from or through a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, and knowing that the monetary instrument or funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, or transfer was designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity, contrary to Title 18, United States Code, Sections 1956(a)(2)(A) and 1956(a)(2)(B)(i).

In violation of Title 18, United States Code, Section 1956(h).

ATTACHMENT B

I, Nicholas Brancato, am a Special Agent with the United States Department of the Treasury, Internal Revenue Service, Criminal Investigation. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and other items of evidence. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where statements of others are related herein, they are related in substance and part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

The Defendant, Relevant Entities, and Overview of the Scheme

1. At all times relevant to this Complaint, unless otherwise specified:

a. Defendant Leonardo Ayala (“Ayala”) resided in Florida and, from in or around in February 2023 through in or around November 2023, worked as a Retail Banker at a TD Bank, N.A. (“TD Bank”) store in Doral, Florida (the “Doral Store”).

b. As part of his duties as a Retail Banker, Ayala was a “customer liaison” for the Doral Store and assisted both new and existing customers with their banking needs.

c. TD Bank, one of the largest retail banks in the United States, maintained policies, procedures, and training related to anti-money laundering (“AML”), anti-bribery, and anti-corruption. Pursuant to these policies and procedures, employees of TD Bank were prohibited from requesting or receiving anything of value in exchange for influence over an act or decision. Employees of TD Bank were also prohibited from falsifying accounts, documents, and records. TD Bank provided these policies and procedures to all employees and required employees, such as Ayala, to complete annual AML and anti-bribery training.

d. As explained further below, Ayala repeatedly and corruptly issued numerous debit cards for TD Bank accounts originally opened in New Jersey, and had those debit cards mailed to an address in New Jersey, despite knowing that he was being directed to do so by individuals that were not the identified account holder. Those debit cards were then used to launder millions of dollars from the United States to Colombia, primarily through withdrawals at Automated Teller Machines (“ATMs”) in Colombia.

Shell Company-A Account

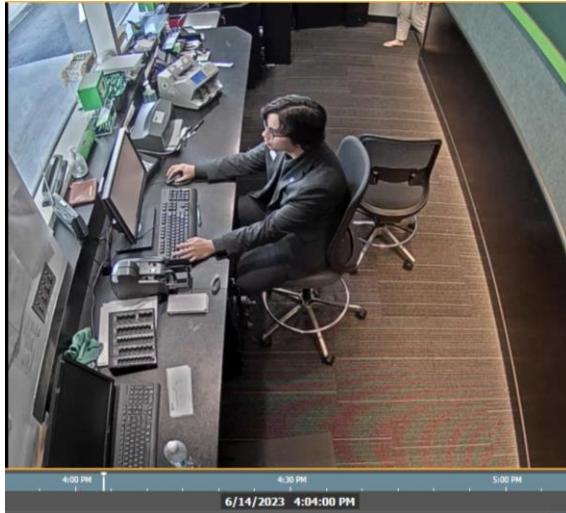
2. On or about June 1, 2023, at the TD Bank store in Scotch Plains, New Jersey (the “Scotch Plains Store”), a TD Bank employee (“Individual-A”) opened a

bank account for a company registered in New Jersey (“Shell Company-A”). On the account opening documents, Individual-A identified a Venezuelan national (“Nominee-A”) as the “Individual with Control” of the account, even though Individual-A knew that Nominee-A would not control the account. TD Bank surveillance video shows that there was no customer with Individual-A when he opened the account for Shell Company-A (the Shell Company-A Account”).

3. On or about June 14, 2023, at approximately 3:59 PM, Ayala received an email at his TD Bank address from a third party, requesting that Ayala issue debit cards for the Shell Company-A Account. In the email, the third party, who was neither the account holder nor the “Individual with Control,” provided Ayala with approximately twenty-five names and corresponding dates-of-birth with which to issue debit cards.

- a. On or about June 14, 2023, at approximately 4:13 PM, Ayala replied, “Las estoy mandando a la dirección de Nueva Jersey verdad?” (unofficially translated as “I’m sending them to the New Jersey address, right?”)
- b. On or about June 14, 2023, at approximately 4:22 PM, the third party responded, “Si claro, por favor las envías a la dirección que está registrada a la cuenta. Gracias[.]” (unofficially translated as “Yes, of course, please send them to the address that is registered to the account. Thank you[.]”)

4. The screenshot below is from the Doral Store’s surveillance video on or about June 14, 2023, at approximately 4:04 PM, when Ayala accessed the Shell Company-A Account in TD Bank’s systems for the first time. Ayala was working at the Doral Store’s drive-through window when he accessed the Shell Company-A Account:



5. Over approximately the next hour, Ayala created approximately 25 debit cards for the Shell Company-A Account. The names and dates-of-birth associated with these debit cards match the information provided in the email described in Paragraph 3, above. When creating these approximately 25 debit cards, Ayala selected the “Mail to Customer” option, resulting in the debit cards being mailed to an address in Plainfield, New Jersey (the “Plainfield Address”). As a result, TD Bank mailed each of the 25 debit cards to the Plainfield Address. All of the debit cards were subsequently activated.

6. From on or about July 7, 2023 through on or about September 7, 2023, the debit cards Ayala issued for the Shell Company-A Account were used to move over \$500,000 from the United States to Colombia via ATM withdrawals.

7. On or about June 15, 2023, the same third party contacted Ayala requesting information about a different account, with a different nominee owner, that had also been opened by Individual-A in New Jersey. Ayala accessed the account in TD Bank’s system and reviewed the customer information and account activity, which included over \$550,000 in ATM withdrawals in Colombia. Ayala then replied, “Esta cuenta esta en estado de bloqueo en este momento, hay una persona asignada a este caso que voy a intentar de contactar para ver que es lo que hace falta para quitar este bloqueo.” (unofficially translated as “This account is blocked at the moment, there is a person assigned to this case that I will try to contact to see what is needed to remove the block.”)

Shell Company-B Account

8. On or about June 7, 2023, Individual-A received an email from a third party at Individual-A’s TD Bank email account with an email address and telephone number. Attached to the email was a Florida company’s (“Shell Company-B”) articles of incorporation, IRS tax identification number, and confirmation of corporate status, as well as copies of a Colombian passport and U.S. visa for the purported beneficial owner, a 77-year-old, female Colombian national (“Nominee-B”).

9. On or about June 12, 2023, Individual-A, at the Scotch Plains Store, opened an account for Shell Company-B. On the account opening documentation, the owner and “Individual with Control” of Shell Company-B was identified as Nominee-B. The documents attached to the email detailed in the previous paragraph were among those included in the account onboarding package. Individual-A opened the account for Shell Company-B (the “Shell Company-B Account”) knowing that it was going to be used to launder money related to illegal narcotics. Individual-A, after opening the account on or about June 12, 2023, never accessed the account again.

10. From the date the account was opened through on or about October 31, 2023, Ayala accessed the Shell Company-B Account in TD Bank’s systems

approximately 15 times, including issuing debit cards for the account on or about June 23, 2023; August 1, 2023; and August 29, 2023.

11. For example, on or about June 23, 2023, at approximately 2:48 PM, Ayala accessed the Shell Company-B Account in TD Bank's system for the first time and issued approximately 25 debit cards for the account.¹

12. Approximately one minute later, at approximately 2:49 PM, Ayala received an email at his TD Bank account from a Venezuelan national known to Ayala ("Individual-B") that included the Shell Company-B Account number and approximately twenty-six names, each accompanied by a date of birth.

13. The screenshot below is from the Doral Store's surveillance video on or about June 23, 2023, at approximately 2:48 PM, the precise time Ayala accessed the Shell Company-B Account to issue debit cards and approximately one minute before he received the email from Individual-B identifying the debit card recipients for the Shell Company-B Account. Ayala is shown at the computer, wearing a suit, while Individual-B is in the lower righthand corner:



14. From on or about June 29, 2023 through in or around November 2023, the Shell Company-B Account was used to move over \$800,000 from the United States to Colombia via ATM withdrawals.

15. Individual-B also transferred money directly to Ayala. For example, between on or about September 28, 2023 and November 7, 2023, using an online money transfer application, Ayala received five payments from Individual-B totaling approximately \$2,250.

¹ Over the course of the two other sessions in or around August 2023, Ayala issued approximately 14 more debit cards linked to the Shell Company-B Account.

16. On or about October 25, 2023, shortly after receiving an approximately \$400 payment from Individual-B, Ayala exchanged the following texts with an associate:

Associate: *Do you want to go to the gym with me tomorrow*

Ayala: *Ima bring a gymbag but i might not be able to go, i have to go pick up more money bc im standing on business, no more helping the venezuelans until my full tabs paid*

Associate: *They still didn't pay you and you kept doing things for them*

Associate: *I told you already babe esos typos no sirven (unofficially translated as "those guys are useless")*

Associate: *Lo mas descarado que ay es un estafador venezolano (unofficially translated as "The most shameless thing there is is a Venezuelan scammer")*

Ayala: *No babe im not dumb*

Ayala: *They paid me a large chunk and haven't asked for anything until this weekend when you saw me texting them*

Ayala: *So im telling them what they gotta have and that i want my bread so tomorrow allegedly they're gonna wire and withdraw the rest of my money*

Associate: *Be careful*

Ayala: *Always baby*

Ayala Interview

17. On or about November 20, 2023, law enforcement interviewed Ayala in Doral, Florida. During the interview, law enforcement informed Ayala that he needed to be truthful, and that lying to federal law enforcement agents is a crime.

18. During the interview, Ayala said, among other things:

- a. At both TD Bank and a prior financial institution, Ayala received trainings on money laundering, bribery, and other types of financial crime.
- b. Ayala explained that money laundering is when someone opens a bank account in order to disguise the money moving through the account, and bribery is getting paid to open bank accounts, either in the form of gifts above \$25 or money of any value.

- c. Ayala recalled seeing account activity at TD Bank, including in accounts that he opened, that included large incoming transfers and then subsequent withdrawals overseas. He described this type of activity as “money laundering.”
- d. Ayala acknowledged that he knows Individual-B and had exchanged messages with him on social media, but stated that he had never been paid in exchange for influence over an act or decision at TD Bank, including by Individual-B.